

AMENDED IN ASSEMBLY MAY 6, 2009
AMENDED IN ASSEMBLY MARCH 26, 2009
CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1091

Introduced by Assembly Member Ruskin

February 27, 2009

An act to add Section 71410 to the Public Resources Code, relating to natural resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 1091, as amended, Ruskin. Natural resources: climate change.

Existing law establishes in state government the Natural Resources Agency consisting of various departments including the Department of Conservation, the Department of Forestry and Fire Protection, the Department of Fish and Game, and the Wildlife Conservation Board.

This bill would ~~require~~ *authorize* the Natural Resources Agency to ~~coordinate with other state agencies to review projects, generally and by region, that have been developed to address unavoidable climate change impacts, including those required by a specified executive order and any subsequent climate change adaptation planning required by the state~~ *develop and amend as necessary a climate change adaptation strategy to assess the state's vulnerability to impacts of climate change, including the impacts of projected sea-level rise, on the state's physical and natural infrastructure. The agency would be permitted to develop or augment the strategy by region.* The bill would specify ~~what the coordination requirement shall include and~~ how the agency may designate regions.

This bill would provide that the strategy is subject to a multidisciplinary review process prior to adoption or approval to ensure that, among other things, ecosystems, sensitive species, or other environmentally sensitive resources or habitats are not inadvertently put at risk or subject to unacceptable, adverse impacts.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 71410 is added to the Public Resources
2 Code, to read:

3 71410. (a) For the purposes of this section, the following terms
4 have the following meanings:

5 (1) "Region" means a geographic area defined by the Secretary
6 of the Natural Resources Agency pursuant to subdivision-(d) (e).

7 (2) "State conservancy" means any of the conservancies
8 established within the Natural Resources Agency.

9 ~~(b) The Natural Resources Agency shall coordinate with other~~
10 ~~state agencies to review projects, generally and by region, that~~
11 ~~have been developed to address unavoidable climate change~~
12 ~~impacts, including those required by Executive Order S-13-08 and~~
13 ~~any subsequent climate change adaptation planning required by~~
14 ~~the state.~~

15 ~~(c) Coordination shall include, but is not limited to, all of the~~
16 ~~following:~~

17 ~~(1) Identification of major infrastructure projects required to~~
18 ~~address climate change adaptation.~~

19 ~~(2) Identification of multiagency projects and programs required~~
20 ~~to address climate change adaptation to assure the resiliency of~~
21 ~~ecosystems and critical habitat.~~

22 ~~(3) Communication with state, federal, regional, and local~~
23 ~~agencies to identify synergies or conflicts between adaptation~~
24 ~~plans.~~

25 ~~(4) A process to evaluate the need for region-specific adaptation~~
26 ~~plans to maximize the protection of natural resources.~~

27 *(b) The Natural Resources Agency may develop and amend as*
28 *necessary a climate change adaptation strategy to assess the state's*
29 *vulnerability to impacts of climate change, including the impacts*
30 *of projected sea-level rise, based on a range of scenarios, on the*

1 *state's physical and natural infrastructure, such as roads and*
2 *bridges, levees, wetlands, floodplains, wastewater treatment plants,*
3 *pipelines, power plants, transmission lines, and other public or*
4 *critical facilities. The strategy may also address the resilience or*
5 *adaptive capacity of this infrastructure to absorb or adjust to the*
6 *impacts of climate change.*

7 *(c) The Natural Resources Agency may develop or augment the*
8 *strategy by region.*

9 *(d) The strategy shall be subject to a multidisciplinary review*
10 *process prior to adoption or approval to ensure that, among other*
11 *things, ecosystems, sensitive species, or other environmentally*
12 *sensitive resources or habitats are not inadvertently put at risk or*
13 *subject to unacceptable, adverse impacts. The review process shall*
14 *occur as early in the strategy's development as feasible.*

15 ~~(d)~~

16 *(e) For the purposes of this section, the Natural Resources*
17 *Agency may designate regions based on the following:*

18 *(1) Hydrologic regions, as defined by the Department of Water*
19 *Resources.*

20 *(2) Regions, as defined by the Department of Fish and Game,*
21 *including regional delineations based on flora and fauna*
22 *distributions.*

23 *(3) Other considerations based on ecosystem function and*
24 *natural processes.*

25 ~~(e)~~

26 *(f) The Secretary of the Natural Resources Agency may*
27 *designate a state conservancy to implement subdivision (b) in a*
28 *region where a conservancy exists.*